

Message Text

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ACTION OES-07

INFO OCT-01 EUR-12 ISO-00 PM-04 ACDA-10 CIAE-00 INR-07
IO-14 L-03 NSAE-00 NSC-05 EB-07 NRC-07 FEAE-00
DODE-00 SS-15 SP-02 /094 W
-----023836 121825Z /53

P R 121753Z JUL 77
FM AMEMBASSY PARIS
TO ERDA WASHDC PRIORITY
ERDA GERMANTOWN MD PRIORITY
INFO SECSTATE WASHDC 5591
AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY ROME
AMEMBASSY THE HAGUE

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USEEC (ALSO FOR EMBASSY)

ERDA WASHDC FOR SIEVERING; GERMANTOWN FOR BECKJORD

E.O. 11652: N/A
TAGS: TECH, ENRG, FR, GW
SUBJECT: FRANCO-GERMAN LMFBR AGREEMENT OF JULY 5, 1977

REF: PARIS 19405

1. DISCUSSIONS WERE HELD WITH CEA STAFF TO OBTAIN
FURTHER UNDERSTANDING OF THE GERMAN/FRENCH LMFBR
AGREEMENT SIGNED IN PARIS ON JULY 5, 1977. ELEVEN
DOCUMENTS ARE INVOLVED INCLUDING ONE DEFINING R&D
COOPERATION, ONE DEFINING THE COMMERCIAL COOPERATION
AND NINE ANNEXES TO THE LATTER DEFINING VARIOUS ASPECTS
OF THIS AGREEMENT.

2. AS STATED IN REFTEL, THE BASIC COMMERCIAL AGREE-
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MENT CREATES A NEW INTERNATIONAL COMPANY, SERENA.
BASICALLY THERE IS AN AGREEMENT BETWEEN THE SHARE-
HOLDERS OF THIS COMPANY DEFINING ITS BY-LAWS, TERMS OF
EXISTENCE AND ROLE. THIS COMPANY HAS RIGHTS TO THE
LMFBR TECHNICAL KNOW-HOW ACHIEVED BY THE PARTICIPATING
ORGANIZATIONS IN THE FIVE COUNTRIES (FRANCE, GERMANY,
THE NETHERLANDS, BELGIUM AND ITALY) AND HAS AUTHORITY

TO LICENSE MANUFACTURERS AND CONSTRUCTORS OF LMFBRs TO USE THIS KNOW-HOW. THE ABOVE DOCUMENT WAS SIGNED ON THE ONE HAND BY CEA ON BEHALF OF A FRENCH COMPANY TO BE FORMED WHICH WILL BE OWNED 60 PERCENT BY CEA AND 40 PERCENT BY NOVATOME AND WILL HAVE A TIE-IN TO THE ITALIAN CEN AND ON THE OTHER BY KVG, A COMPANY FORMED ON JUNE 30, 1977, UNDER GERMAN LEADERSHIP AND INVOLVING GFK, INTERATOM, AS WELL AS ECN, TNO IN HOLLAND, CEN AND BELGONUCLEAIRE IN BELGIUM. MR. SIEVEKING, ONE OF THREE INTERATOM DIRECTORS, IS A DIRECTOR OF KVG.

3. THE SECOND AGREEMENT DEFINES R&D COOPERATION AND WAS SIGNED BY CEA ON BEHALF OF FRANCE AND GFK AND INTERATOM ON BEHALF OF GERMANY. IT IS TO COVER TOTAL TECHNICAL EXCHANGES AND HARMONIZATION OF THE TECHNICAL PROGRAMS WITHIN THE FIVE COUNTRIES IN THE AREA OF THE AGREEMENT. MODALITIES REMAIN TO BE FULLY DEFINED BUT A COORDINATING COMMITTEE WILL BE SET UP TO IMPLEMENT THE COOPERATION. IT IS EXPECTED THERE WILL BE MANY VISITS, EXCHANGES OF PERSONNEL AND EQUIPMENT, JOINT ACTIVITIES, OPTIMAL USE OF TEST FACILITIES, ETC. THERE WILL BE EQUIVALENT FRENCH AND GERMAN FINANCIAL SUPPORT AND ADDITIONAL FUNDING WITHIN THE OTHER COUNTRIES. ALL THE CURRENTLY FUNDED PROGRAMS IN THE AREA OF THE AGREEMENT APPARENTLY WILL BE UNCLASSIFIED

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FM AMEMBASSY PARIS
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AMEMBASSY THE HAGUE

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4. THE AGREEMENTS COVER LMFBR SYSTEMS ONLY AND EXCLUDE FABRICATION OF FUEL, COMPONENTS AND REPROCESSING. SINCE THE INTERFACES OR DETAILS OF WHAT IS AND IS NOT INCLUDED ARE NOT CLEAR-CUT, THREE ANNEXES DEFINE THESE INTERFACES IN DETAIL.

5. FOUR ADDITIONAL ANNEXES ADDRESS LICENSING ISSUES. REPORTEDLY ONE OF THESE INCLUDES TWO MODELS OF LICENSES, (A) FOR A SOPHISTICATED COMPANY WITH KNOW-HOW, AND (B) FOR A GROUP WITHOUT SIGNIFICANT COMPETENCE. ANOTHER ONE DEFINES THE LICENSES TO INB IN GERMANY AND NOVATOME IN FRANCE. THE ADDITIONAL TWO LICENSING ANNEXES DEAL WITH LICENSE TRANSMITTALS THROUGH KVG AND THE FRENCH GROUP TO SERENA.

6. THE FINAL TWO ANNEXES INVOLVE SERENA'S BY-LAWS AND REGULATIONS.
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7. THE CENTRAL IDEA OF THE COMMERCIAL AGREEMENT IS THAT ANY MANUFACTURER CAN BE LICENSED TO UTILIZE SERENA'S KNOW-HOW OR A PORTION OF IT AND UTILIZE HIS ADDITIONAL KNOW-HOW TO MANUFACTURE NUCLEAR STEAM SUPPLY SYSTEMS. DIFFERENT COMPANIES CAN STILL COMPETE AND MARKET DIFFERENT SYSTEMS. INITIALLY NOVATOME WOULD MARKET POOL SYSTEMS AND INB, PIPE SYSTEMS. SOON A THIRD LICENSE IS EXPECTED TO BE GRANTED TO NIRA IN ITALY.
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Disposition Approved on Date:
Disposition Case Number: n/a
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